



Jim Doyle, Governor  
Mary P. Burke, Secretary

## Wisconsin Department of Commerce, Bureau of PECFA

### Bid Document

#### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 46  
**Comm #:** 54498-8677-86  
**BRRTS #:** 02-10-001448  
**Site Name:** Paitel Oil Bulk Plant  
**Site Address:** W5486 County Rd X, Withee, 54498  
**Site Manager:** Gina Keenan  
**Address:** 1300 W Clairmont Ave  
**City, State Zip:** Eau Claire, WI 54702-4001  
**Phone:** 715-839-1604  
**e-mail:** gina.keena@wisconsin.gov  
**Bid Manager:** Dee K. Zoellner  
**Address:** 2715 Post Road  
**City, State Zip:** Stevens Point, Wisconsin 54481-  
**Phone:** (715) 342-3802  
**e-mail:** Dee.Zoellner@Wisconsin.Gov

<b>Bid-Start Date:</b>	<b>November 20, 2006</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>December 04, 2006, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>December 22, 2006</b>
<b>Bid-End Date and Time:</b>	<b>January 05, 2007, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**Quality Quick Print-Eau Claire, 1213 Menomonie St, Eau Claire, WI 54703**  
**Phone: (715) 836-0049 Fax: (715) 836-7704**

## **SECTION 2 – Site-Specific Bid Requirements**

### General Comments:

The facility is still operating as a bulk fuel facility. The property is located approximately a half-mile to the east of the Town of Withee. The neighboring properties are commercial and/or residential, with the exception to the north which is wetland. Eight aboveground storage tanks (AST's) and one underground storage tank (UST) have been removed from the property. The volumes of these tanks ranged from 500 to 15,000 gallons. Contents of these formerly AST's and UST were fuel oil, diesel fuel and leaded and unleaded gasoline.

Currently on the property there are six UST's which range in volume from 4,000 to 10,000 gallons. Contents of the UST's are diesel fuel, fuel oil and unleaded gasoline. The new UST's are all contained within one area which is connected by piping to a new pump island. The location of the former UST and AST's and their associated pump island are distinct from the location of the new UST's.

A building and shed are also located on the property. The property line is either fenced or tree-lined, but there is easy access to the petroleum contaminated area.

The geology of the site consists of glacial material that is fine to medium grained sands, silts, and clays. The first eight feet below ground surface (bgs) are medium brown to gray clays and sandy clays. From eight to eighteen feet bgs, the soils are fine to medium grained brown sands, silts and gravels. From eighteen to approximately fifty feet bgs, are more unstratified clay, silt, sand, gravel, and boulders. Precambrian crystalline bedrock is found at fifty feet bgs.

Depth to groundwater is approximately eight feet bgs. Groundwater flow direction is to the south/southeast. Though there are no vertical groundwater flow measurements, it appears that there may be a downward vertical flow component as piezometer PZ-1, is contaminated.

There are eight monitoring wells and four piezometers at the site. The extent of groundwater contamination is not defined. Free product was present in monitoring well, MW-2.

### Minimum Remedial Requirements:

**Excavation:** Excavate approximately 1700 cubic yards of contaminated soil. Soil contamination is concentrated in the areas of the former pump rack and the former diesel UST area (see Figure 1). The soil contamination extends down to a depth of twelve feet bgs. The approximate boundaries for the excavation are located on Figure 1 (see attached). As the excavation is expected to extend below the groundwater table, it may be necessary to use a pumper truck to pump out groundwater in order to complete the excavation to a depth of twelve feet bgs.

**Excavation Soil Sampling:** Soil samples need to be collected every twenty feet along the sidewalls of the excavation. Soil samples collected from the sidewalls at seven to eight feet bgs need to be analyzed for petroleum volatile organics (PVOs).

**Install one monitoring well.** The monitoring well is to be located south of the former diesel UST area, but outside of the area to be excavated by approximately

ten feet (see Figure 1 for approximate location). The monitoring well will be constructed in compliance with NR 141, and will be approximately seventeen feet in depth.

**Install a nest of two piezometers.** The piezometers (PZ-5 and PZ-6) are to be located south of the area described as the “new island” on Figure 1 and across Highway “X”. The approximate proposed location for this nest is found on Figure 1, attached. The shallow piezometer is to be thirty feet deep, with the screen set from twenty-five to thirty feet bgs. The deeper piezometer is to be thirty-five feet in depth, with the screen set from thirty-five to forty feet bgs.

**Groundwater Monitoring:** Groundwater samples shall be analyzed for the full spectrum of volatile organic compounds and natural attenuation parameters for the first quarter in the newly installed monitoring well and in both newly installed piezometers. Groundwater sampling quarters two, three and four, can be analyzed for PVOC’s only. In all pre-existing wells and piezometers, groundwater samples can be analyzed for just PVOC compounds for all four rounds of sampling. Water elevation measurements shall also be collected in each sampling event. Field Natural Attenuation parameters must be collected every quarter. The DNR and Commerce project manager will consider modifications to the groundwater monitoring requirements if the collected data supports such modifications.

**Perform a potable well survey.** Determine which residences/businesses have a potable well within a half-mile radius of the site. If a well is present, determine if the well is used for drinking water purposes, and collect samples from the well for volatile organic compound analyses – EPA Method 524.2. Drinking water well sample results shall be reported to the DNR within 10 days of receipt.

**Reporting:** Submit a Remedial Action Report to include the post-excavation results, the new well and piezometer installation, the potable well evaluation, and the first round of groundwater monitoring. Thereafter, an annual report will be required after the completion of the year of groundwater monitoring, or if closure is appropriate based on the groundwater monitoring results, a report requesting closure with the GIS data included will be necessary.

### **SECTION 3 - Reporting Timeframes**

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).

4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

### Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## **SECTION 5 - Instructions to Bidders**

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in

this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

## BID RESPONSE

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Department of Commerce PECFA Program

**SITE NAME:** Paitel Oil Bulk Plant

**COMMERCE #:** 54498-8677-86

**BRRTS #:** 02-10-001448

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2790 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].



**BID RESPONSE**  
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Department of Commerce PECFA Program

**SITE NAME: Paitel Oil Bulk Plant**  
**COMMERCE #: 54498-8677-86**  
**BRRTS #: 02-10-001448**

**Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Excavation - ~1700 cu.yds.	\$	
2	Excavation soil sampling – consultant on site	\$	
3	Excavation soil sample – Lab costs – PVOC's	\$	
4	De-watering excavation & disposal	\$	
5	1 Monitoring well & 2 piezometers installation	\$	
6	Groundwater Monitoring – sampling 4 quarters, water elevations, NA field parameters, etc....	\$	
7	Groundwater Analysis – 3 VOC's – new wells 45 PVOC's = 9 current wells(1 round) + (12 total wells X 3 rounds)	\$	
8	Groundwater disposal	\$	
9	Potable Well Survey & Reporting	\$	
10	Potable Well Lab – VOC EPA 524.2 1 round	\$	
11	Reporting – Remedial Action Report	\$	
12	PECFA Claim Preparation	\$	
13	Total Bid Amount	\$	
	Contingency Costs		
1	Closure Costs – Closure Report, GIS packet, well abandonment, etc.	\$	